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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AMENDMENT

APPLICANT: Smith DOCKET NO.: EVS-P-99-017  
SERIAL NO.: 09/510,087 GROUP ART UNIT: 3751  
FILED: October 26, 2001, EXAMINER: D. Walczak  
TITLE: "A MARKING DEVICE, A METHOD OF USING THE SAME AND AN  
ACCESSORY KIT FOR THE MARKING DEVICE"

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Assistant Commissioner for Patents  
Washington, D.C. 20231

JUL 19 2002

TECHNOLOGY CENTER R3700

S I R:

In response to the Office Action dated January 28, 2002, please  
amend the above-identified application as follows:

IN THE CLAIMS:

Claim 1 has been amended as follows:

- Sub E1*  
1. A marking device comprising:  
a barrel having a body defined between a first end and a second  
end wherein the first end has a tip capable of producing a mark;  
a sheath that substantially covers the body of the barrel between  
the first end and the second end; and  
an end cap removably attached on the second end of the barrel  
wherein the end cap has a connecting lead extending from the end cap.

Claim 9 has been amended as follows:

- Da Sub E2*  
A marking device accessory kit, the accessory kit comprising:  
a marking device having a barrel defined between a first end and  
a second end wherein the first end has a tip capable of producing a  
mark;  
a flat article wherein the article substantially covers the

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